UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,139	06/14/2001	Felice Vinati	34701/GM/ch	5735

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OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER
DUONG, THOMAS

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/880,139	VINATI ET AL.
	Examiner	Art Unit	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 December 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _27 December 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the applicants Amendment filed on December 27,

2004. Applicant amended *claims 1-7. Claims 1-7* are presented for further

consideration and examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in
public use or on sale in this country, more than one year prior to the date of application for patent in
the United States.

3.   *Claims 1-2 and 7* are rejected under 35 U.S.C. 102(b) as being unpatentable over

Willens (US005889958A).

4.   With regard to *claims 1 and 7*, Willens discloses,

- *upon connection of a user to a network service provider, checking data of the*

    user who wishes to make the connection and comparing said data with a

    database in order to define a user profile; (Willens, col.2, line 62 – col.3, line 35;

    col.5, lines 9-37; col.8, lines 14-26)

    Willens teaches that *"when user 22 logs in through the communications server*

    14, the RADIUS client software 45 first determines if user 22 is authorized by

    checking his password through RADIUS server 16, utilizing user profiles 46"

(Willens, col.5, lines 9-12). Hence, the identity of the user is verified based on

the information entered by the user (e.g. based on the login information of the

user) upon connecting to the service provider.

- *identifying a user profile at least by an information pertaining to the age of the*

    user; (Willens, col.2, line 62 – col.3, line 35; col.4, lines 26-29, lines 46-50; col.5,

    lines 9-37; col.5, line 58 – col.6, line 9; col.8, lines 14-26)

    Willens teaches that *"the user profiles 46 also identify a filter"* (Willens, col.5,

    lines 12-13) which is specific to the user and *"after checking user 22's*

    authorization, the RADIUS server 16 supplies the filter identification through the

    RADIUS client 45 software … for controlling access by the user 22 to Internet

    sites" (Willens, col.5, lines 13-18). According to Willens, *"based on the result, the*

    server 14 either permits or denies access and updates it's local cache 50. In the

    event of denial of service, the server 14 sends a denial message back to user 23,

    informing him that he cannot access that site" (Willens, col.6, lines 5-9).

    Furthermore, Willens states that *"in practice, the network access module 40 is*

    provided with the server 14 and can be used to offer both content monitored 'kid'

    Internet accounts as well as unrestricted 'adult' accounts" (Willens, col.4, lines

    46-49). Hence, the restricted access to the *'kid'* or *'child'* accounts by the Willens

    invention is clearly shown. Also, the fact that the terms *'kid'* or *'child'* refers to a

    person of a young age indicates that the Willens invention takes into account the

    'age' factor in the user profile.

- *according to the user profile, allowing free access to said network, and if said*

    user is a minor, allowing access to said network with a controlled navigation step.

(Willens, col.2, line 62 – col.3, line 35; col.4, lines 26-29, lines 46-50; col.5, lines

9-37; col.5, line 58 – col.6, line 9; col.8, lines 14-26)

Willens states that *"in practice, the network access module 40 is provided with

the server 14 and can be used to offer both content monitored 'kid' Internet

accounts as well as unrestricted 'adult' accounts"* (Willens, col.4, lines 46-49).

Hence, providing restricted access to the *'kid'* or *'child'* accounts and unrestricted

access to the *'adult'* accounts by the Willens invention is clearly shown.

5.   With regard to *claim 2*, Willens discloses,

   - *wherein said user profile identification step comprises comparing the data*

     entered by said user in order to access the network with a database which

     contains the profiles of users registered with said service provider. (Willens,

     col.2, line 62 – col.3, line 35; col.5, lines 9-37; col.8, lines 14-26)

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

7.   *Claims 3-5* are rejected under 35 U.S.C. 103(a) as being unpatentable over Willens

(US005889958A) and in view of Toga (US006041355A).

8.   With regard to *claim 3*, Willens discloses,

See *claim 1* rejection as detailed above.

However, Willens does not explicitly disclose,

- *wherein said controlled navigation step comprises checking for the presence in the sites that said user attempts to access, of an accessibility key suitable to identify said site as accessible to the minor user or a non-accessibility key suitable to identify said site as not accessible to the minor user.*

Toga teaches,

- *wherein said controlled navigation step comprises checking for the presence in the sites that said user attempts to access, of an accessibility key suitable to identify said site as accessible to the minor user or a non-accessibility key suitable to identify said site as not accessible to the minor user.* (Toga, col.2, lines 7-15, lines 28-43; col.3, lines 12—25; col.4, lines 14-44)

Toga teaches of a method of controlling data transfer between a first network and a second network of computers by *"looking at tags that indicate information about the content of the data ... then [determining] completion decisions as to whether to allow the transfer of data based upon the tag information"* (Toga, col.3, lines 14-18). According to Toga, *"various other completion decisions based upon resource constraints, content based upon age, and pricetag of the content are possible"* (Toga, col.3, lines 23-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Toga with the teachings of Willens to enable the *"controlling [of] data transfer between a first network and a second network of computers ... [by parsing the] content description language received from the first network by the second network ... to determine tag*

information within the content description language ... [and then making] a

completion decision as to whether to allow the transfer based on the information"

(Toga, col.2, lines 7-13). According to Toga, *"this, for example, may be used to*

prevent the retrieval of sexually explicit material [based upon age] from the Internet

by performing a search of the words of the URL in a dictionary having particular

banned keywords" (Toga, col.2, lines 1-4).

9.   With regard to *claims 4-5*, Willens and Toga disclose,

   - *wherein said controlled navigation step further comprises, if said site that the*
     user attempts to access is tagged by an accessibility key, a step comprising
     checking for the presence of preset keywords in pages of said site. (Toga, col.1,
     line 61 - col.2, line 15, lines 28-43; col.3, lines 12—25; col.4, lines 14-44)

   - *wherein if said accessibility key or said non-accessibility key are not present in*
     said site that the user attempts to access, a step comprising checking for the
     presence of preset keywords in pages of said site. (Toga, col.1, line 61 - col.2,
     line 15, lines 28-43; col.3, lines 12—25; col.4, lines 14-44)

10.   *Claim 6* is rejected under 35 U.S.C. 103(a) as being unpatentable over Willens

(US005889958A) and in view of Walker et al. (US006286001B1).

11.   With regard to *claim 6*, Willens discloses,

         See *claim 1* rejection as detailed above.

         However, Willens does not explicitly disclose,

- *further comprising preparing a report of the navigation performed by said user
  and in sending said report to the parents of said minor user.*

  Walker teaches,

- *further comprising preparing a report of the navigation performed by said user
  and in sending said report to the parents of said minor user.* (Walker, col.13, lines
  20-36)

  Walker teaches of a step for gathering statistics on the usage of the user (i.e.
  children) for reporting to an authoritative figure (i.e. parent).

  Therefore, it would have been obvious to one of ordinary skill in the art at the time of
  the invention was made to combine the teachings of Walker with the teachings of
  Willens to enable the authoritative figure (i.e. parent) to closely monitor and perhaps
  control the Internet content that their children access.

Response to Arguments

12.   Applicant's arguments with respect to *claims 1-7* have been considered but they are
moot in view of the new grounds of rejection.

Conclusion

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this
Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).
Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

14.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thomas Duong whose telephone number is 571/272-3911. The

examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-

Wallace can be reached on 571/272-6159. The fax phone numbers for the organization

where this application or proceeding is assigned are 703/872-9306 for regular

communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

May 24, 2005

VALENCIA MARTIN-WALLACE
PATENT EXAMINER